

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WANDA HENRY,

Plaintiff,

vs.

CIV-05-1070 LFG/RLP

**ADDUS HEALTHCARE, INC.,
An Illinois Corporation, licenced
to do business in New Mexico, et al.,**


Defendants.

**Memorandum Opinion and Order
Quashing Service of Process**

This matter comes before the Court on the Motion to Quash Service of Process of Defendant Vicky Hardeman (identified in the Complaint as Vicky Haideway). The Federal Rules of Civil Procedure provide that service on an individual may be affected by delivering a copy of the summons and complaint to the individual personally, by leaving copies at the individual's house, or by delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process. Fed. R. Civ. P. 4(e)(2). Plaintiff admits that her attempt to effect service of process on Ms. Hardeman by delivering a copy of the Summons and Complaint to Corporation Service Company, the registered agent for Addus Healthcare Inc. is defective, and that service of process should be quashed. [Docket No. 44]. Plaintiff asks that she be given a reasonable amount of time to effect service of process on Ms. Hardeman. Id. Ms. Hardeman does not object to this request. [Docket No. 53].

IT IS THEREFORE ORDERED that service of process upon Vicky Hardeman, identified in the Complaint as Vicky Haideway, be and hereby is quashed.

IT IS FURTHER ORDERED that Plaintiff may have until October 2, 2006, to effect service of process upon Vicky Hardeman, identified in the Complaint as Vicky Haideaway.



Richard L. Puglisi
United States Magistrate Judge